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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,113	12/15/2003	Woci Ling Leow	P03,0495 (H0005960 US)	3645

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HONEY WELL INTERNATIONAL INC.
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EXAMINER

NEGRON, WANDA M

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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08/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/736,113

Applicant(s)

LEOW ET AL.

Examiner

Wanda M. Negrón

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-13,15-27 and 29-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-13,15-27 and 29-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 4, 10, 13-22, and 25-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Fiore et al. (WO 02/082275 A1).**

3. Regarding **claim 1**, Fiore et al. disclose a surveillance system, i.e. a monitoring system (see paragraph [0018]) comprising a camera, i.e. a video signal source (6) (see paragraph [0038]), arranged to output images of a protected area, an input device, e.g. an external event source (8), arranged to provide a data annotation, e.g. information associated with the occurrence of an external event (see paragraph [0054]), and, a server (20) arranged to synchronously store the images and the data annotation so that the data annotation can be used to search for a segment of the images (see paragraphs [0054] and [0057]). In addition, Fiore et al. disclose that the server is arranged to time stamp the data annotation (see paragraphs [0048] and [0054]); and to compare the time stamp of the data annotation to an image count, i.e. data frames with a time stamp approximate to the time stamp of the external event, when searching for the segment of the images (see paragraphs [0054], [0057] and claim 9).

4. Regarding **claim 4**, Fiore et al. disclose that the server is arranged to cause the segment of the images matching the time stamp to be displayed, i.e. providing the

retrieved portion to an output apparatus (see paragraph [0057], lines 7-11).

5. Regarding **claim 10**, Fiore et al. disclose that the camera comprises a video camera (see paragraph [0038]), and wherein the server comprises a video server, i.e. a server for storing video signals and its associated data (see paragraph [0038], lines 7-9).

6. Method **claims 13, 15-22, 25-27, and 29-31** are drawn to the method of using the corresponding apparatus claimed in claims 1 and 4. Therefore method claims 13, 15-22, 25-27, and 29-31 correspond to apparatus claims 1 and 4 and are rejected for the same reasons of anticipation as used above.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 5-8, 23, 24, 32-34, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiore et al. (WO 02/082275 A1) as applied to claims 1-4, 10, 13-22, and 25-31 above, and further in view of Brown et al. (WO 01/13637 A1).**

9. Regarding **claim 5**, as mentioned in the discussion of claim 1 above, Fiore et al. disclose all the limitations of the parent claim. Fiore et al., however, do not teach that the server is arranged to save the data annotation in SQL readable form.

Brown et al., on the other hand, disclose that the video server database is implemented using SQL (see page 47, lines 14-15), which is a standardized computer language to create, retrieve, update or delete data from a relational database.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the database of the video server taught by Fiore et al. using SQL, as described by Brown et al., because the system would have been easier to create, update and maintain since SQL is such a well-known computer query language.

10. Regarding **claim 6**, Fiore et al., as modified by Brown et al., disclose that the server is arranged to time stamp the data annotation (see Fiore et al., paragraphs [0048] and [0054]).

11. Regarding **claim 7**, it would be inherent to arrange the server of Fiore et al., as modified by Brown et al., to receive an SQL search string corresponding to the data annotation since the video server database is implemented using SQL. In addition, Fiore et al., as modified by Brown et al., disclose the use of a string search to retrieve the data annotation, i.e. an event type, an event description, etc. (see Brown et al., page 73, lines 7-23, and figures 46 and 47).

12. Regarding **claim 8**, Fiore et al., as modified by Brown et al., disclose that the server is arranged to match the data annotation found as a result of the search to the segment of the images (see Brown et al., page 73, lines 7-23, and figures 46 and 47).

13. Regarding **claim 9**, Fiore et al., as modified by Brown et al., disclose that the server is arranged to match the time stamp of the data annotation to an image count

when searching for the segment of the images (see Fiore et al., paragraph [0057] and claim 9).

14. Method **claims 23-24 and 32-33** are drawn to the method of using the corresponding apparatus claimed in claims 5-9. Therefore method claims 13-22 and 25-31 correspond to apparatus claims 5-9 and are rejected for the same reasons of obviousness as used above.

15. Regarding **claim 34**, as mentioned above, Fiore et al. disclose all the limitations of the parent claim. Fiore et al., however, do not explicitly teach that the link comprises a data attribute stamp wherein the data attribute serves as an index to retrieve video and data segments of the same characteristic inferred by the data attribute.

On the other hand, Brown et al. disclose that the link comprises a data attribute stamp, interpreted as a searchable recording criteria other than date or time, wherein the data attribute serves as an index to retrieve video and data segments of the same characteristic inferred by the data attribute (see Brown et al., page 73, lines 7-23, and figures 46 and 47).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used a data attribute for indexing associated video and data segments as taught by Brown et al. in the method disclosed by Fiore et al. since doing so would enable the user to search for information associated with an event even if she is unaware of the exact instance when the event occurred.

16. Regarding **claim 36**, Fiore et al., as modified by Brown et al., disclose that the data attribute comprises luminosity, i.e. an event type associated with drastic changes

in brightness (see Fiore et al., paragraphs [0044], lines 4-6).

17. Regarding **claim 37**, Fiore et al., as modified by Brown et al., disclose that the data attribute comprises a biometric signature, i.e. an event type associated with identification of an individual using image recognition (see Brown et al., page 23, lines 14-21).

18. **Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiore et al. (WO 02/082275 A1) as applied to claims 1-4, 10, 13-22, and 25-31 above, and further in view of Arazi et al. (US 6,330,025 B1).**

19. Regarding **claim 11**, as mentioned in the discussion of claim 1 above, Fiore et al. disclose all the limitations of the parent claim. Fiore et al., however, do not teach that that the camera comprises an IR camera.

Arazi et al., on the other hand, teach the use of a forward-looking IR camera (54). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use an IR camera, as described by Arazi et al., as a video signal input in the system disclosed by Fiore et al. since the use of an IR camera provides a monitoring function even in low-light environments.

20. Regarding **claim 12**, as mentioned in the discussion of claim 1 above, Fiore et al. disclose all the limitations of the parent claim. Fiore et al., however, do not teach that that the camera comprises a thermal imager.

Arazi et al., on the other hand, teach the use of a forward-looking IR camera (54), which inherently is a thermal imager. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a forward-looking IR

camera, as described by Arazi et al., as a video signal input in the system disclosed by Fiore et al. since the use of such a thermal imager provides a monitoring function even in low-light environments.

21. **Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fiore et al. (WO 02/082275 A1) in view of Brown et al. (WO 01/13637 A1), and further in view of Arazi et al. (US 6,330,025 B1).**

22. Regarding **claim 35**, as mentioned above, Fiore et al., as modified by Brown et al., disclose all the limitations of the parent claim. However, Fiore et al., as modified by Brown et al., do not disclose that the data attribute comprises temperature.

Arazi et al., on the other hand, teach that the data attribute comprises temperature, i.e. an event type associated with changes in heat signatures (see Arazi et al., col. 7, lines 20-23).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use temperature as a data attribute because drastic changes in heat provide a monitoring function even in low-light environments.

Response to Arguments

23. Applicant's arguments filed 5/10/2007 have been fully considered but they are not persuasive.

24. Applicant asserts on page 9 that the reference to Fiore does not teach comparing the time stamp of a data annotation to an image count. However, the examiner

maintains that Fiore reasonably suggests comparing a time stamp of information associated with the occurrence of an external event (see paragraph [0054]), i.e. a data annotation, to an image count of a video segment, i.e. time stamps of consecutive data frames (see claim 9).

It is further noted that Applicant's specification supports the above position by the examiner in that the "image count" (as referred to in the instant claims), or the "video count" (as referred to in the remainder of Applicant's disclosure), may be reasonably interpreted as a sequential time stamp for each video frame, i.e. a time count with the same format as a time stamp (see page 8, lines 2-4 of Applicant's specification). Furthermore, Applicant's specification also suggests that a "time stamp" corresponding to a data tag may be reasonably interpreted as a "video count" for the data tag (see page 9, lines 9-11).

Even if, *arguendo*, Applicant's only intended definition for the term "image count" excludes the meaning selected by the examiner, i.e. a plurality of sequential time stamps for each frame of a video segment, then a matter of lack of enablement may be raised because Applicant's specification does not reasonable enable a skilled artisan on how to compare a "time stamp" to an "image count" if not in the same format.

For the reasons stated above, the rejection is still deemed proper and has been maintained.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Taylor et al. (US Application Publication No. 2003/0228128 A1) teach a system and methods wherein small data structures are created that store metadata to enable fast searching of video segments.
- McKeown et al. (US Patent No. 6,987,451 B2) disclose a method and a system for surveillance with identification correlation.
- Courtney (US Patent No. 5,969,755) discloses a method wherein "clips of video by identified spatio-temporal, event, and object-oriented queries are recalled to view the desired video".
- Wegmann (US Patent No. 6,628,323 B1) discloses an automatic surveillance system where data is stored with a time stamp.
- Blanchard (US Application Publication No. 2002/0126758 A1) discloses an apparatus for detecting scene changes, and for recording and logging the event.
- Monroe (US Application Publication No. 2003/0025599 A1) teaches a method for identifying the occurrence of an event, and for tagging the data for archival, search and retrieval.

Art Unit: 2622

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wanda M. Negrón whose telephone number is (571) 270-1129. The examiner can normally be reached on Mon-Fri 6:30 am - 4:00 pm alternate Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wanda M. Negrón/

Examiner, Art Unit 2622
July 31, 2007

A handwritten signature in black ink, appearing to read 'David Ometz', with a stylized, overlapping loop at the end.

DAVID OMETZ
SUPERVISORY PATENT EXAMINER